

THE HONORABLE JOHN H. CHUN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FEDERAL TRADE COMMISSION, *et al.*,

Plaintiffs,

v.

AMAZON.COM, INC., a corporation,

Defendant.

CASE NO.: 2:23-cv-01495-JHC

**[PROPOSED] ORDER
GRANTING PLAINTIFFS'
MOTION TO COMPEL
PRODUCTION OF DOCUMENTS**

Plaintiffs having filed their Motion to Compel Production of Documents (the "Motion"), and the Court having considered all papers filed in support and in opposition of the Motion, including all filings and memoranda of law concerning this matter, hereby ORDERS the following:

1. Plaintiffs' Motion is GRANTED;
2. Amazon shall conduct a diligent search for all documents relating to personnel reviews, evaluations, and promotion materials (whether in draft or final form) concerning individuals with responsibilities relating to the conduct described in the Complaint, as requested by Plaintiffs' RFP No. 32, that are held in non-custodial repositories, and shall produce all responsive documents within fourteen (14) days of this Order.

1 3. Amazon shall produce:

2 a. All documents relating to Amazon's actions, whether as formal
3 commitments, voluntary commitments, or otherwise, undertaken or considered as the result of
4 any investigation or inquiry by any government competition enforcer in any country or
5 jurisdiction including without limitation, actions relating to implementation, monitoring,
6 evaluation, and compliance, as well as the evaluation, consideration, proposal, study, or analysis
7 of any alternatives, as requested by Plaintiffs' RFP No. 376.

8 b. All documents relating to Amazon's actions, whether as formal
9 commitments, voluntary commitments, or otherwise, undertaken or considered as the result of
10 requirements consistent with its designation as a gatekeeper, platform with strategic market
11 status, or similar designation under any of (1) the European Union's Digital Markets Act; (2) the
12 United Kingdom's Digital Markets, Competition, and Consumers Bill; or (3) Section 19(e) of
13 Germany's Competition Act, including without limitation actions relating to implementation,
14 monitoring, evaluation, and compliance, as well as the evaluation, consideration, proposal, study,
15 or analysis of any alternatives, as requested by Plaintiffs' RFP No. 377 and later narrowed by
16 Plaintiffs.

17 c. All documents and data, including any requests for information, responses,
18 questionnaires, surveys, presentations, or charges received from and provided to any government
19 competition enforcer in any country or jurisdiction in connection with an antitrust or
20 competition-related investigation or inquiry, as requested by Plaintiffs' RFP No. 387.

21 d. Amazon shall produce custodial documents responsive to the RFPs above
22 for Initial Set custodians as part of its Initial Set production of documents. Amazon shall produce
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1 custodial documents responsive to the RFPs above for Second Set custodians as part of its
2 Second Set production of documents.

3 e. Amazon shall conduct a diligent search for documents responsive to the
4 RFPs above that are held in non-custodial repositories, and shall produce all such responsive
5 documents within twenty-one (21) days of this Order.

6 f. Amazon shall run the search terms identified in Appendix A to Plaintiffs'
7 Motion (Dkt. #331) in connection with its search of custodial documents.

8 4. Amazon shall produce privilege logs for any responsive documents or ESI it
9 redacts or withholds from production on the basis of a privilege or protection, pursuant to the
10 Order Regarding Discovery of Electronically Stored Information (Dkt. #256) and Stipulation and
11 Order Regarding Privilege Logging (Dkt. #313).

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13 **IT IS SO ORDERED.**

14 Dated this _____ day of _____, 2024

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THE HONORABLE JOHN H. CHUN
UNITED STATES DISTRICT JUDGE

1 Presented By:

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